IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JUDRISDICTION
Dated Nainital the June 27th, 2006
Criminal Misc. Bail Application No. 552 of 2006

Order on the bail application of accused.

CRIMINAL SIDE

Anand Ram S/o Bachi Ram
R/o village Daina, Patwari Area Naini
Tehsil Ranikhet, Dsitrict Almora…… Applicant

Versus

State of Uttaranchal ……. Opposite Party

Arising out of case crime No.1 of 2006
Under Sections 302, 201 & 120 B IPC
Chalani Patwari Aread, Naini
Tehsil Ranikhet
District Almora

Hon'ble J.C.S. Rawat, J.

Heard Sri G.C. Kandpal learned counsel for the applicant and learned A.G.A. for the State.

Perused the record. The case diary is available with the learned A.G.A. According to the prosecution version, the informant-Bhoopal Ram was informed on 05.05.2006 at about 9:30 AM that the condition of his daughter was very serious and asked him to reach in the village. It was further alleged that he went to the village where he found that the dead body of his daughter was lying on the verandah of the house and he also found some injuries on her person and blood was oozing from her mouth. The incident took place after completing the seven years of marriage and as such the case was registered under section 302 IPC. It was contended that there is no presumption of section 113B of ht Indian Evidence Act in this case. The evidence of the informant that he found the injuries on the person of the deceased did not complete the chain of circumstances which leads to take the inference that the murder was committed by the applicant. Considering the facts and circumstances of the case, it is a fit case for bail.

Let the applicant-accused be released on bail on executing a personal bond and two sureties each in the like amount to the satisfaction of the Magistrate concerned.

(J.C.S. Rawat, J.)

Dated 27.06.2006
LSR